



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

IKAICA ANDERSON  
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BRANDON J. C. ELEFANTE  
JOEY MANAHAN  
RON MENOR  
KYMBERLY MARCOS PINE  
HEIDI TSUNEYOSHI  
TOMMY WATERS

**Note: Bill 41, CD2 and Findings of Fact on page 11 of the agenda have been cancelled.**

## ORDER OF BUSINESS

REGULAR MEETING  
CITY COUNCIL CHAMBER  
21ST SESSION  
WEDNESDAY, DECEMBER 4, 2019  
10 A.M.

**Note: Bill 52, FD1, CD2 on page 10 of the agenda has been cancelled.**

### SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 10 a.m. as follows:

- On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- By faxing to 768-3826 your name, phone number and subject matter;
- By filling out the registration form in person; or
- By calling 768-3814.

Persons who have not registered to testify by 10 a.m. will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker shall not have anyone else read their statement and is limited to:

- three-minute presentation on Public Hearing, New Business and Sunshined items;
- one-minute presentation on all other items.

### WRITTEN TESTIMONY

Written testimony may be faxed to 768-3826 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, e-mail address and phone number, will be available to the public on both the City Council's pilot website: [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) as well as the City's legacy DocuShare Website.

**The Council will recess from 12:30 p.m. to 1:30 p.m.**

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### MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet" §92-7.5, HRS) are available for public inspection at the Council Information and Records Section's service window at Room 202 in Honolulu Hale (530 S. King St.).

Accommodations are available upon request to persons with disabilities, please call 768-3814 or send an email to [jyamane1@honolulu.gov](mailto:jyamane1@honolulu.gov) at least three working days prior to the meeting.

The Meeting is viewable by: (1) internet live streaming through [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) and [http://olelo.granicus.com/MediaPlayer.php?publish\\_id=92](http://olelo.granicus.com/MediaPlayer.php?publish_id=92); (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting at <http://www.honolulucitycouncil.tv/>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

Honorary Certificates will be presented at 9 a.m.

ORDER OF BUSINESS  
Wednesday, December 4, 2019

**PLEDGE OF ALLEGIANCE**

**MESSAGE OF ALOHA**

**CALL TO ORDER – 10 A.M.**

Roll Call

Introduction of Guests

Approval of Minutes of the 19<sup>th</sup> and 20<sup>th</sup> Sessions

ORDER OF BUSINESS  
Wednesday, December 4, 2019

**ORDER OF THE DAY**

**PUBLIC HEARING/RESOLUTIONS**

Resolution 19-282 (Public Safety and Welfare)

Confirming the nomination of Dr. Masahiko Kobayashi, to serve as the Medical Examiner of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 19-284 (Executive Matters and Legal Affairs)

Relating to the reappointment of Victoria Marks to serve on the Ethics Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS  
Wednesday, December 4, 2019

Resolution 19-310

(Budget)

Relating to the appointment of Kaipo Kukahiko, to serve on the Grants in Aid Advisory Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 19-311

(Public Infrastructure, Technology  
and Sustainability)

Confirming the nomination of Mark K. Yonamine to serve as the Director of Design and Construction of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 19-312

(Public Safety and Welfare)

Relating to the reappointment of Stefanie Lee to serve on the Fire Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS  
Wednesday, December 4, 2019

**PUBLIC HEARING/SECOND READING**

PARKS, COMMUNITY SERVICES AND INTERGOVERNMENTAL AFFAIRS

CR-351

Bill 59, CD1

Relating to animals. (Amending certain provisions relating to dogs and cats.)

PASS SECOND READING, AS AMENDED

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Bill 59, CD1, Proposed FD1  
(Submitted by Councilmember Tsuneyoshi)

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-356

Resolution 19-35

Initiating amendments to the Revised Charter of the City and County of Honolulu 1973 (2017 Edition) to establish a term limit for the Prosecuting Attorney of the City and County of Honolulu.

PASS SECOND READING

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

BUDGET

CR-363

Bill 56

Relating to bus passes. (Authorizing the Department of Transportation Services to establish a pilot program for free bus passes for high school students on Oahu to attend off-campus or after-school programs.)

PASS SECOND READING

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ZONING, PLANNING AND HOUSING

CR-331

Bill 27

To rezone land situated at Kaneohe, Oahu, Hawaii. (Rezoning land from the P-2 General Preservation District to the R-7.5 Residential District.) (Applicant: Horseshoe Land Company, LLC) (Deadline: 2/14/20)

PASS SECOND READING

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

ZONING, PLANNING AND HOUSING (Cont'd.)

CR-381

Bill 60

Relating to affordable rental housing. (Addressing affordable rental housing.)

PASS SECOND READING

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**PUBLIC HEARING/ADOPTION**

PUBLIC INFRASTRUCTURE, TECHNOLOGY AND SUSTAINABILITY

CR-391

Resolution 19-275, CD1

Confirming the reappointment of Dr. Victoria Keener to serve on the Climate Change Commission of the City and County of Honolulu.

FOR ADOPTION, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

**THIRD READING**

BUDGET

CC-361

Bill 44, CD1

Relating to shared micromobility vehicles. (Authorizing the City to reserve parking stalls and other areas for a fee for the deployment and parking of shared micromobility vehicles fleets by permit, and to set the conditions and requirements for the permits.)

PASS THIRD READING, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

BUDGET (Cont'd.)

CR-362

Bill 55, CD2

Relating to real property taxation. (Creating a real property tax classification for properties used for bed and breakfast home purposes and clarifying the classification of transient vacation units.)

PASS THIRD READING, AS AMENDED

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Bill 55, CD2, Proposed FD1 (OCS2019-1296/11/26/2019 10:16 AM)  
(Submitted by Council Chair Anderson)

Bill 55, CD2, Proposed FD1 (OCS2019-1288/11/26/2019 9:40 AM)  
(Submitted by Councilmember Tsuneyoshi)

Bill 55, CD2, Proposed FD1 (OCS2019-1303/11/26/2019 4:03 PM)  
(Submitted by Councilmember Menor)

ORDER OF BUSINESS  
Wednesday, December 4, 2019

PUBLIC SAFETY AND WELFARE

CR-389

Bill 40, CD1

Relating to plastic. (Addressing the provision of certain single-use plastic goods and plastic bags.)

PASS THIRD READING, AS AMENDED

Bill 40, CD1, Proposed FD1 (OCS2019-1279/11/22/2019 2:16 PM)  
(Submitted by Councilmember Menor)

Bill 40, CD1, Proposed FD1 (OCS2019-1301/11/27/2019 3:59 PM)  
(Submitted by Councilmember Waters)

BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

CR-355

Bill 52, FD1, CD2

Relating to parks. (Protecting the public health and safety by establishing criteria and procedures for the closure of City parks at night.)

PASS THIRD READING, AS AMENDED

Bill 52, FD1, CD2, Proposed CD2, FD2  
(Submitted by Councilmember Pine)

ORDER OF BUSINESS  
Wednesday, December 4, 2019

ZONING, PLANNING AND HOUSING

CR-379

Bill 41, CD2 and Findings of Fact

To adopt the revised Central Oahu Sustainable Communities Plan for the City and County of Honolulu. (Repealing the existing Sustainable Communities Plan for Central Oahu, Article 5, Chapter 21, Revised Ordinances of Honolulu 1990, and adopting a new Article 5 incorporating the revised Central Oahu Sustainable Communities Plan.)

PASS THIRD READING, AS AMENDED, AND FINDINGS OF FACT ADOPTED

TRANSPORTATION

CR-385

Bill 53

Relating to motorcycles and mopeds. (Amending the City's Traffic Code to address noise caused by the operation of motorcycles and mopeds.)

PASS THIRD READING

ORDER OF BUSINESS  
Wednesday, December 4, 2019

**FIRST READING**

Resolution 19-323

(Executive Matters  
and Legal Affairs)

Initiating amendments to the Revised Charter of the City and County of Honolulu 1973 (2017 Edition), as amended, relating to the attorneys in the Office of Council Services.

PASS FIRST READING

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Resolution 19-325

(Executive Matters  
and Legal Affairs)

Initiating amendments to the Revised Charter of the City and County of Honolulu 1973 (2017 Edition) to transfer the planning functions of the Department of Planning and Permitting to a separate Planning Department and rename the Department of Planning and Permitting.

PASS FIRST READING

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

Bill 61

(Budget)

Relating to building permit fees. (Addressing building permit fees for projects started prior to obtaining a building permit.)

PASS FIRST READING

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Bill 62

(Public Infrastructure, Technology  
and Sustainability)

Relating to storm water, flood, and erosion damage. (Providing for a new procedure under which the City shall undertake storm water, flood, and erosion damage remediation measures on private properties.)

PASS FIRST READING

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

Bill 63 (Zoning, Planning and Housing)

Relating to Condominium Property Regimes. (Amending the provisions of the Land Use Ordinance pertaining to Condominiums and Condominium Property Regimes.)

PASS FIRST READING

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Bill 64 (Public Infrastructure, Technology  
and Sustainability)

Relating to unlawful disposal of refuse or bulky waste. (Addressing the illegal disposal of refuse and bulky waste upon public streets, roadsides, alleys, highways and public places within the City and County of Honolulu.)

PASS FIRST READING

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Bill 65 (Zoning, Planning and Housing)

Relating to building permits. (Addressing the suspension or revocation of building permits and applications therefor.)

PASS FIRST READING

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

Bill 66

(Zoning, Planning and Housing)

Relating to building permits. (Addressing building permit fees, the processing of building permit applications, the issuance of building permits, and the monitoring, inspection, and enforcement of work on projects for which a building permit is required or issued.)

PASS FIRST READING

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Bill 67

(Zoning, Planning and Housing)

Relating to building permit violations. (Addressing building permit violations.)

PASS FIRST READING

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

**RESOLUTIONS**

**BUDGET**

CR-367

Resolution 19-285, CD1

Authorizing the Director of Budget and Fiscal Services to issue and sell in one or more series not to exceed \$25,000,000 principal amount of general obligation bonds of the City and County of Honolulu for financing the amount appropriated in Ordinance 19-14 of the City and County of Honolulu for the purpose of financing capital costs of the Honolulu Rail Transit Project.

FOR ADOPTION, AS AMENDED

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CR-368

Resolution 19-286, CD1

Authorizing the Director of the Department of Budget and Fiscal Services of the City and County of Honolulu or the director's designee to enter into a First Amended and Restated Agreement with the Honolulu Authority for Rapid Transportation ("HART") regarding the general obligation bonds of the City and County of Honolulu for the purpose of financing capital costs of the Honolulu Rail Transit Project (City subsidy).

FOR ADOPTION, AS AMENDED

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Resolution 19-286, CD1, Proposed FD1  
(Submitted by Councilmember Manahan)



ORDER OF BUSINESS  
Wednesday, December 4, 2019

BUDGET (Cont'd.)

CR-364

Resolution 19-269

Approving collective bargaining cost items for the included, excluded and excluded managerial employees of the City and County of Honolulu in Bargaining Unit 13 (Hawaii Government Employees Association).

FOR ADOPTION

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CR-365

Resolution 19-274, CD1

Relating to the transfer of funds. (Department of Transportation Services.)

FOR ADOPTION, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

BUDGET (Cont'd.)

CR-366

Resolution 19-281

Approving collective bargaining cost items for the employees of the City and County of Honolulu in Bargaining Unit 2 (Hawaii Government Employees Association).

FOR ADOPTION

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CR-369

Resolution 19-290

Requesting the City Auditor to conduct an audit of the City and County of Honolulu's relationship with Bikeshare Hawaii.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

BUDGET (Cont'd.)

CR-370

Resolution 19-294

Approving an amendment to the City and County of Honolulu's Twenty-Fourth (24th) Year Action Plan for Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), Housing Trust Fund (HTF), Emergency Solutions Grants (ESG) and Housing Opportunities for Persons with AIDS (HOPWA) program funds, and authorizing its submittal to the U.S. Department of Housing and Urban Development (HUD).

FOR ADOPTION

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CR-371

Resolution 19-297, CD1

Approving an amendment to the City and County of Honolulu's Twenty-Third (23rd) Year Action Plan for Community Development Block Grant ("CDBG"), Home Investment Partnerships (HOME), Housing Trust Fund ("HTF"), Emergency Solutions Grants ("ESG") and Housing Opportunities for Persons with Aids ("HOPWA") program funds, and authorizing its submittal to the U.S. Department of Housing and Urban Development ("HUD").

FOR ADOPTION, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

BUDGET (Cont'd.)

CR-372

Resolution 19-298

Approving an amendment to the City and County of Honolulu's Twenty-Fifth (25th) Year Action Plan for Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), Housing Trust Fund (HTF), Emergency Solutions Grants (ESG) and Housing Opportunities for Persons with AIDS (HOPWA) program funds, and authorizing its submittal to the U.S. Department of Housing and Urban Development (HUD).

FOR ADOPTION

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CR-373

Resolution 19-299, CD1

Approving an amendment to the City and County of Honolulu's Twenty-Fourth (24th) Year Action Plan for Community Development Block Grant ("CDBG"), Home Investment Partnerships ("HOME"), Housing Trust Fund ("HTF"), Emergency Solutions Grants ("ESG") and Housing Opportunities for Persons with AIDS ("HOPWA") program funds, and authorizing its submittal to the U.S. Department of Housing and Urban Development ("HUD").

FOR ADOPTION, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

BUDGET (Cont'd.)

CR-374

Resolution 19-300, CD1

Approving an amendment to the City and County of Honolulu's Twenty-Third (23rd) Year Action Plan for Community Development Block Grant ("CDBG"), Home Investment Partnerships ("HOME"), Housing Trust Fund ("HTF"), Emergency Solutions Grants ("ESG") and Housing Opportunities for Persons with AIDS ("HOPWA") program funds, and authorizing its submittal to the U.S. Department of Housing and Urban Development ("HUD").

FOR ADOPTION, AS AMENDED

CR-375

Resolution 19-301

Authorizing the assignment and extension of a lease of City property with Pauahi RHF Partners, LP for the Pauahi Kupuna Hale Project under Section 28-3.4, Revised Ordinances of Honolulu 1990, as amended (ROH).

FOR ADOPTION

ORDER OF BUSINESS  
Wednesday, December 4, 2019

BUDGET (Cont'd.)

CR-376

Resolution 19-302, CD1

Authorizing the lease of City property to Alea Bridge for special needs housing under Section 28-3.5, Revised Ordinances of Honolulu 1990.

FOR ADOPTION, AS AMENDED

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CR-377

Resolution 19-303, CD1

Authorizing the lease of City property to Alternative Structures International for special needs housing under Section 28-3.5, Revised Ordinances of Honolulu 1990.

FOR ADOPTION, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

PARKS, COMMUNITY SERVICES AND INTERGOVERNMENTAL AFFAIRS

CR-352

Resolution 19-276

Urging the Department of Parks and Recreation to utilize a maintenance structure for community parks which provides for groundskeepers who are dedicated to specific parks.

FOR ADOPTION

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CR-353

Resolution 19-279

Urging the City Administration to establish an island-wide adopt-a-tree program.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

PARKS, COMMUNITY SERVICES AND INTERGOVERNMENTAL AFFAIRS (Cont'd.)

CR-354

Resolution 19-287

Naming the Waipahu District Park in honor of William D. "Bill" Balfour, Jr.

FOR ADOPTION

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EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-319

Resolution 19-256, CD1

Urging the City Administration and the Honolulu Authority for Rapid Transportation to provide a post-award briefing to the Council on the contract for the Public Private Partnership for Honolulu's Rail Project and to consider the Council's concerns prior to execution of the contract.

FOR ADOPTION, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-320

Resolution 19-257, CD1

Urging the United States Department of the Interior to postpone decision making regarding the approval of the land exchange between the State and the City for the 56-acre parcel that is being used as the City's Rail Project Maintenance and Storage Facility until appropriate public hearings are scheduled and conducted.

FOR ADOPTION, AS AMENDED

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CR-357

Resolution 19-278

Urging the Hawaii State Board of Education to amend the Hawaii Administrative Rules to specifically allow graduating high school students to wear honor cords that represent nonacademic organizations at their commencement exercises.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-358

Resolution 19-313

Resolution to retain the legal services of Ashford & Wriston, LLP as Special Counsel for the City and County of Honolulu on behalf of Defendant Vernon Branco in a legal action entitled Tracy T. Yoshimura et al. v. Keith M. Kaneshiro et al., Civil No. 18-00038-LEK-WRP (USDC).

FOR ADOPTION

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CR-359

Resolution 19-314

Resolution to retain the legal services of Kobayashi Sugita & Goda, LLP as Special Counsel for the City and County of Honolulu on behalf of Defendant Jacob Delaplane in a legal action entitled Tracy T. Yoshimura et al. v. Keith M. Kaneshiro et al., Civil No. 18-00038-LEK-WRP (USDC)

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-360

Resolution 19-315

Resolution to request the consent and approval of the City Council to initiate legal action against Louis M. Kealoha.

FOR ADOPTION

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ZONING, PLANNING AND HOUSING

CR-384

Resolution 19-252

Proposing an amendment to Chapter 21, Revised Ordinances of Honolulu 1990 (The Land Use Ordinance), relating to detached dwellings.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

TRANSPORTATION

CR-387

Resolution 19-289, CD1

Accepting a gift to the City from Way Sine LLC.

FOR ADOPTION, AS AMENDED

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CR-386

Resolution 19-288, CD1

Urging the Department of Transportation Services to work with the State Department of Transportation, as necessary, to implement pedestrian-friendly improvements to the shared-use path on Fort Weaver Road.

FOR ADOPTION, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

TRANSPORTATION (Cont'd.)

CR-388

Resolution 19-295

Requesting the Department of Transportation Services to work with the State Department of Transportation to study, analyze, and make recommendations on the potential use of contraflow lanes, including dynamic lane use control signals, on Farrington Highway and Kamehameha Highway through Waipahu, Pearl City, and Aiea to alleviate traffic and bus congestion during peak travel times.

FOR ADOPTION

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PUBLIC SAFETY AND WELFARE

CR-390

Resolution 19-277, CD1

Urging the Governor and the Legislature of the State of Hawaii to appropriate funds for the electrical assessment and the installation of air conditioning at all Oahu public schools.

FOR ADOPTION, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

PUBLIC INFRASTRUCTURE, TECHNOLOGY AND SUSTAINABILITY

CR-392

Resolution 19-291, CD1

Requesting the City Administration to expedite the eminent domain proceedings to acquire certain portions of Waimanu Street and Kawaiahao Street in order to improve the flow of traffic and protect the access, health, and safety of residents of abutting properties and first responders.

FOR ADOPTION, AS AMENDED

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CR-393

Resolution 19-292

Urging the City Administration to repair and enforce City laws on certain portions of Waimanu and Kawaiahao Streets in Kakaako, Honolulu, Hawaii in order to protect the access, health, and safety of motorists and first responders.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

**BALANCE OF COMMITTEE REPORTS**

ZHCR-380 Granting a 120-day extension of time for Bill 58 – To rezone land situated at Haleiwa, Oahu, Hawaii. (Deadline: 1/27/20 + 120 days)

ZHCR-383 Granting a 120-day extension of time for Resolution 19-161 – Granting a Special Management Area (SMA) Use Permit to allow the development of eight dwelling units on the site. (Deadline: 12/9/19 + 120 days)

FOR ADOPTION

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**UNFINISHED BUSINESS**

ORDER OF BUSINESS  
Wednesday, December 4, 2019

**NEW BUSINESS**

Resolution 19-317

Accepting a gift to the City from Swarthmore College.

FOR ACTION

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Resolution 19-320

Accepting a gift to the City from Silk Road Chamber of International Commerce.

FOR ACTION

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Resolution 19-326

Accepting a gift to the City from the Foreign Affairs Office of Fuzhou Municipal People's Government.

FOR ACTION

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Communication D-789

From the Department of Planning and Permitting, requesting a 120-day extension of time for Bill 2, CD1, relating to Interim Planned Development Permits for transit-oriented development within close proximity to future rail stations. (Deadline: 12/5/19 + 120 days)

FOR ACTION

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ORDER OF BUSINESS  
Wednesday, December 4, 2019

### **COMMITTEE OF THE WHOLE/EXECUTIVE SESSION**

If the need arises with respect to any item on this agenda, then pursuant to Council Rule 12.A and Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), the Council may resolve itself into a Committee of the Whole to consult with its attorneys in executive session on questions and issues pertaining to the Council's powers, duties, privileges, immunities and/or liabilities relating to that item.

### **ANNOUNCEMENTS**

### **ADJOURNMENT**